

PATENT APPLICATION FEE DETERMINATION RECORD
Effective January 1, 2003

Application or Docket Number

1062 6181

CLAIMS AS FILED - PART I

(Column 1) (Column 2)

TOTAL CLAIMS	<u>5</u>	
FOR	NUMBER FILED	NUMBER EXTRA
TOTAL CHARGEABLE CLAIMS.	<u>5</u> minus 20 = *	
INDEPENDENT CLAIMS	<u>2</u> minus 3 = *	
MULTIPLE DEPENDENT CLAIM PRESENT		<input type="checkbox"/>

* If the difference in column 1 is less than zero, enter "0" in column 2

CLAIMS AS AMENDED - PART II

2-15-05 (Column 1)

(Column 2)

(Column 3)

AMENDMENT A	CLAIMS		HIGHEST NUMBER PREVIOUSLY PAID FOR	PRESENT EXTRA
	REMAINING AFTER AMENDMENT	Minus	**	=
Total	* 5	Minus	** 20	= —
Independent	* 2	Minus	*** 3	= —
FIRST PRESENTATION OF MULTIPLE DEPENDENT CLAIM <input type="checkbox"/>				

(Column 1)

(Column 2)

(Column 3)

AMENDMENT B	CLAIMS		HIGHEST NUMBER PREVIOUSLY PAID FOR	PRESENT EXTRA
	REMAINING AFTER AMENDMENT	Minus	**	=
Total	* —	Minus	** —	= —
Independent	* —	Minus	*** —	= —
FIRST PRESENTATION OF MULTIPLE DEPENDENT CLAIM <input type="checkbox"/>				

(Column 1)

(Column 2)

(Column 3)

AMENDMENT C	CLAIMS		HIGHEST NUMBER PREVIOUSLY PAID FOR	PRESENT EXTRA
	REMAINING AFTER AMENDMENT	Minus	**	=
Total	* —	Minus	** —	= —
Independent	* —	Minus	*** —	= —
FIRST PRESENTATION OF MULTIPLE DEPENDENT CLAIM <input type="checkbox"/>				

SMALL ENTITY
TYPE OR OTHER THAN
SMALL ENTITY

RATE	FEES	RATE	FEES
BASIC FEE	375.00	OR BASIC FEE	750.00
X\$ 9=		OR X\$18=	
X42=		OR X84=	
+140=		OR +280=	
TOTAL	<u>375</u>	OR TOTAL	

OTHER THAN
SMALL ENTITY

RATE	ADDITIONAL FEE	RATE	ADDITIONAL FEE
X\$ 9=		OR X\$18=	
X42=		OR X84=	
+140=		OR +280=	
TOTAL ADDIT. FEE		OR TOTAL ADDIT. FEE	

RATE	ADDITIONAL FEE	RATE	ADDITIONAL FEE
X\$ 9=		OR X\$18=	
X42=		OR X84=	
+140=		OR +280=	
TOTAL ADDIT. FEE		OR TOTAL ADDIT. FEE	

RATE	ADDITIONAL FEE	RATE	ADDITIONAL FEE
X\$ 9=		OR X\$18=	
X42=		OR X84=	
+140=		OR +280=	
TOTAL ADDIT. FEE		OR TOTAL ADDIT. FEE	

* If the entry in column 1 is less than the entry in column 2, write "0" in column 3.

** If the "Highest Number Previously Paid For" IN THIS SPACE is less than 20, enter "20."

*** If the "Highest Number Previously Paid For" IN THIS SPACE is less than 3, enter "3."

The "Highest Number Previously Paid For" (Total or Independent) is the highest number found in the appropriate box in column 1.

GLAUKO.005C1

PATENT

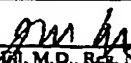
IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : Morteza Gharib et al.
 Appl. No. : 10/626,181
 Filed : July 24, 2003
 For : IMPLANT WITH PRESSURE
 SENSOR FOR GLAUCOMA
 TREATMENT
 Examiner : Filip Zec
 Group Art Unit : 3744

CERTIFICATE OF FAX TRANSMISSION

I hereby certify that this correspondence and all
 marked attachments are being transmitted via
 facsimile to the USPTO Central Fax No. (703)
 872-9306 on the date shown below:

February 15, 2005


James W. Hall, M.D., Reg. No. 46,396TERMINAL DISCLAIMER TO OBLIGATE A DOUBLE PATENTING REJECTION

Mail Stop Amendment
 Commissioner for Patents
 P.O. Box 1450
 Alexandria, VA 22313-1450

Dear Sir:

The owner of 100 percent interest in the instant application, "Glaukos Corporation," hereby disclaims, except as provided below, the terminal part of the statutory term of any patent granted on the instant application, which would extend beyond the expiration date of the full statutory term defined in 35 U.S.C. §§ 154-156 and 173, as presently shortened by any terminal disclaimer, of prior U.S. Patent No. 6,666,841. The owner hereby agrees that any patent so granted on the instant application shall be enforceable only for and during such period that it and the prior patent are commonly owned. This agreement runs with any patent granted on the instant application and is binding upon the grantee, its successors, and assigns.

In making the above disclaimer, the owner does not disclaim the terminal part of any patent granted on the instant application that would extend to the expiration date of the full statutory term, as defined in 35 U.S.C. §§ 154-156 and 173, of the prior patent, as presently shortened by any terminal disclaimer, in the event that the prior patent later expires for failure to pay a maintenance fee, is held unenforceable, is found invalid by a court of competent jurisdiction, is statutorily disclaimed in whole or terminally disclaimed under 37 C.F.R. 1.321, has all claims canceled by a

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PAGE 7/8 RCVD AT 2/15/2005 6:29:19 PM [Eastern Standard Time] SVR:USPTO-EFXRF-1/1 DMS:8729306 CSID:9497609502 DURATION (mm:ss):02:08

Appl. No. : 10/626,181
Filed : July 24, 2003

reexamination certificate, is reissued, or is in any manner terminated prior to the expiration of its full statutory term as presently shortened by a terminal disclaimer.

1. For submission on behalf of an organization (e.g., corporation, partnership, university, government agency, etc.), the undersigned is empowered to act on behalf of the organization.

2. The undersigned is an attorney of record.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Respectfully submitted,

KNOBBE, MARTENS, OLSON & BEAR, LLP

Dated: 2/14/05

By: J.W.H.
James W. Hill, M.D.
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